

DEC 15 2004



Mailing Address:  
Law Department  
PO Box 9777  
Federal Way, Washington 98063-9777  
Air Express:  
33663 Weyerhaeuser Way South  
Federal Way, WA 98063

**DATE:** December 15, 2004

**TO:** NAME: Office of Initial Patent Examination  
LOCATION: United States Patent and Trademark Office  
**FAX NUMBER:** 703-872-9306  
**TEL NUMBER:**

**FROM:** NAME: Teresa J. Wiant  
MAIL ADDRESS: teresa.wiant@weyerhaeuser.com  
**TEL NUMBER:** 253-924-5611  
**FAX NUMBER:** 253-924-3253

Number of pages, including cover sheet: 16

Re: Application of Herman  
Serial No. 10/727,445  
Filed December 3, 2003  
Our Docket No.: 24873  
For: Use of a Low Nitrogen Fertilizer to Propagate Shoots from a Log

Please find enclosed herein:

- Statement
- Copy of Response to Missing Parts Notice, originally filed May 20, 2004
- Copy of (re-issued) Notice to File Missing Parts of Nonprovisional Application

CEN-ACT-00000000000000000000000000000000

DEC 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
TRANSMITTAL

Applicant: Barrington Herman                          Attorney Docket No. WEYE121341/24873  
Serial No.: 10/727,446                          Group Art Unit: 1754  
Filing Date: December 3, 2003                          Examiner: Unassigned  
Title: Use of a Low Nitrogen Fertilizer to Propagate Shoots from a Log

Federal Way, Washington 98063  
December 15, 2004

STATEMENT REGARDING SECOND MAILING OF NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL PATENT APPLICATION

TO THE COMMISSIONER FOR PATENTS:

The first Notice to File Missing Parts of Nonprovisional Patent Application ("Notice") was mailed from the US Patent and Trademark Office ("USPTO") on March 8, 2004, for this patent application. The Notice requested the filing of an Oath or Declaration, and the payment of a surcharge for late filing of the Oath or Declaration.

Applicant filed a Response to the Notice on May 20, 2004. The Response included a Combined Declaration/Power of Attorney ("Declaration"), and an authorization to charge the requisite fees to Applicant's deposit account.

The Response was filed via facsimile. A facsimile transmittal report confirmed that the facsimile had been received. The Declaration was scanned onto Private PAIR, and is downloadable as an Image File Wrapper file.

However, Applicant never received an updated Filing Receipt. Investigation revealed that the payment authorization, which accompanied the Declaration, had apparently been lost during processing at the USPTO. The Office of Initial Patent Examination therefore issued another Missing Parts Notice, one re-requesting payment.

Accordingly, please find enclosed a copy of the original Response to the Notice, including the payment authorization and the facsimile transmittal report. The Response to the Notice was timely filed, on May 20, 2004, necessitating no extensions of time. As authorization was given to charge the fees to Applicant's Deposit Account, and as the loss of said authorization was due to USPTO error, Applicant notes that no additional fees other than the \$130.00 surcharge are due.

Please address all correspondence to:

**Customer No. 28624**

WEYERHAEUSER COMPANY  
P.O. Box 9777, CH 1J27  
Federal Way, Washington 98063-9777

Respectfully submitted,

WEYERHAEUSER COMPANY

*TJW*  
Teresa J. Wiant  
Registration No. 36,967  
Direct Dial No. 253-924-3991

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being sent via facsimile transmission to: Missing Parts, OIPE,  
Commissioner for Patents, at 703-746-4060

Date:

12/15/04

*Susan J. Finn*  
Susan J. Finn

Transmission Report

24813 W  
Side 3

Date/Time  
Loca ID  
Local Name  
Company Logo

5-20-04 2:23PM  
253 924 3253  
WEYERHAEUSER LAW DEPT.  
WEYERHAEUSER LAW DEPT.

This document was confirmed.

(reduced sample and details below)  
Document Size Letter-S

CEM 15 MAY 2004

DEC 15 2004



Law Department  
PO Box 9777  
Federal Way, Washington 98063-9777  
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XEROX Weyerhaeuser Way Branch  
Federal Way, WA 98003

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May 20, 2004

**TO:** NAME: Mail Stop MISSING PARTS  
FIRM: USPTO - Commissioner for Patents  
**LOCATION:** Alexandria, VA  
**FAK NUMBER:** 703-265-4060  
**TEL NUMBER:** -

**FROM:** NAME: Susan Finn  
**MAIL ADDRESS:** Law Department - Intellectual Property Group  
Weyerhaeuser Company - CH 1727  
PO Box 9777  
Federal Way WA 98063-9777  
**TEL NUMBER:** 253/924-2997  
**FAX NUMBER:** 253/924-9253

Total number of pages sent (including cover)s 10  
If there has been a transmission error, please notify us immediately.

**MESSAGE:**

RE: Application No.: 10/727,446  
Filing Date: 12/03/2003  
Attorney Docket #: WEYB121341/24873

Attached you will find:

Transmittal Letter	1 page
Notice of Missing Parts	2 pages
Assignment w/Recordation Sheet	3 pages
Combined Declaration	3 pages

Prosecution  
 Dedocket  
 Docket  


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8/20/04

cc: COJK

Total Pages Scanned : 10 Total Pages Confirmed : 10

No.	Doc	Remote Station	Start Time	Duration	Pages	Mode	Comments	Results
1	233	USPTO MPS	5-20-04; 2:19PM	3'47"	10/ 10	EC		CP 14.4

**Notes :**  
 EC: Error Correct  
 BC: Broadcast Send  
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 HS: Host Scan  
 HF: Host Fax  
 RE: Resend  
 MP: Multi-Poll  
 RM: Receive to Memory  
 HP: Host Print  
 HR: Host Receive  
 PD: Pollled by Remote  
 PG: Polling a Remote  
 DR: Document Removed  
 FO: Forced Output  
 FM: Forward Mailbox Doc.  
 MB: Receive to Mailbox  
 PI: Power Interruption  
 TM: Terminated by user  
 WT: Waiting Transfer  
 WS: Waiting Send



Law Department  
PO Box 9777  
Federal Way, Washington 98063-9777  
Air Express:  
33663 Weyerhaeuser Way South  
Federal Way, WA 98003

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**May 20, 2004**

<b>TO:</b>	<b>NAME:</b>	Mail Stop MISSING PARTS
	<b>FIRM:</b>	USPTO – Commissioner for Patents
	<b>LOCATION:</b>	Alexandria, VA
	<b>FAX NUMBER:</b>	703-746-4060
	<b>TEL NUMBER:</b>	--
<b>FROM:</b>	<b>NAME:</b>	Susan Finn
	<b>MAIL ADDRESS:</b>	Law Department – Intellectual Property Group Weyerhaeuser Company - CH 1J27 PO Box 9777 Federal Way WA 98063-9777
	<b>TEL NUMBER:</b>	253/924-2997
	<b>FAX NUMBER:</b>	253/924-3253

Total number of pages sent (including cover): 10  
If there has been a transmission error, please notify the sender immediately.

**MESSAGE:**

RE: Application No.: 10/727,446  
Filing Date: 12/03/2003  
Attorney Docket #: WEYE121341/24873

Attached you will find:

Transmittal Letter	1 page
Notice of Missing Parts	2 pages
Assignment w/Recordation Sheet	3 pages
Combined Declaration	3 pages

BOX MISSING PARTS

DEC 15 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Barrington Herman Attorney Docket No: WEYE121341/24873  
Application No: 10/727,446 Group Art Unit: 1754  
Filed: 12/03/2003 Examiner: --  
Title: USE OF A LOW NITROGEN FERTILIZER TO PROPAGATE SHOOTS FROM A LOG

TRANSMITTAL OF MISSING PARTS OF PATENT APPLICATION

May 20, 2004

TO THE COMMISSIONER FOR PATENTS:

In response to Notice To File Missing Parts of Application #10/727,446 dated 03/08/2004, Transmitted Herewith are the Following:

1. **Payment of Fees**  
The Commissioner is hereby authorized to charge filing fees of \$130.00 for Missing Parts, Extension Fee of \$110.00, and any other fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 23-1480. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this paper is enclosed.
2. **Combined Declaration and Power of Attorney for Patent Application**
3. **Assignment with Recordation Sheet**

Respectfully submitted,

WEYERHAEUSER COMPANY

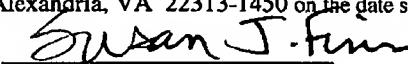


Teresa J. Wiant  
Registration No. 36,967  
Direct Dial No. 253-924-3991

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being faxed to 703-746-4060 Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on the date specified below.

Date: May 20, 2004





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Acting COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/727,446	12/03/2003	Barrington Herman	WEYE121341/24873

28624  
 WEYERHAEUSER COMPANY  
 INTELLECTUAL PROPERTY DEPT., CH 1J27  
 P.O. BOX 9777  
 FEDERAL WAY, WA 98063

CONFIRMATION NO. 7090  
**FORMALITIES LETTER**



"OC000000012042842"

Date Mailed: 03/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*Margaret*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/727,446	12/03/2003	Barrington Herman	WEYE121341/24873

**CONFIRMATION NO. 7090**

28624  
 WEYERHAEUSER COMPANY  
 INTELLECTUAL PROPERTY DEPT., CH 1J27  
 P.O. BOX 9777  
 FEDERAL WAY, WA 98063

**FORMALITIES LETTER**  
  
 \*OC000000014680766\*

Date Mailed: 12/07/2004

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

*Filing Date Granted*

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 was not received.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$130 for a Large Entity

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

12/16/2004 LWONDIM1 00000043 231480 10727446

01 FC:1051 130.00 DA

*A copy of this notice **MUST** be returned with the reply.*

*R13*  
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE